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Rev.Appl.No.208 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Rev.Appl.No.208 of 2019

and

C.M.P.No.23392 of 2019

Mayavan (died)

Jayavalli (died)

1.Ravi

2.Kamala Kannan

3.Kalpana

... Petitioners

Vs.

1.Saravana Mudaliar

Vadamalai Counder (died)

2.Dhananjayan

3.Saradambal @ Sadana

4.Maragadhammal

5.Karthikeyan

6.Annapoorani

7.Pargunnen

8.Padmavathy

9.Bharathen

10.Visalatchy @ Vimala

11.Subramani

... Respondents

Prayer : Review Application filed under Section 114 of the Code of Civil of Procedure r/w. Order 47 Rule 1 of Code of Civil Procedure to review the order dated 24.04.2019 in C.R.P.No.3062 of 2013.



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For Petitioners : Fr.Xavier Arulraj
Senior Counsel
for Mr.K.Balu
for P1 and P3
Mr.R.Rajaraman for P2

ORDER

This Review Application has been filed to review the order dated 24.04.2019 in C.R.P.No.3062 of 2013, dismissing the revision filed as against the dismissal of the application filed under Section 47 of Code of Civil Procedure, by the Execution Court. While dismissing the revision, this Court has held that, when the boundaries have been clearly identified, the question of identity of property cannot be gone into in an application under Section 47 CPC and therefore, the decree holder is entitled for delivery of possession.

2.Now, the revision petitioner has come forward with this review application. Now, it is brought to the notice of this Court that the Hon'ble Supreme Court, in ***S.L.P.(C) No.32185 of 2025***, by order dated 11.11.2025, has passed the following order :



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“4.A perusal of the order passed by the Executing Court or even the Revisional Court does not indicate that the Execution Court has directed for delivery of possession in respect of the plot No.1853. Since the decree is in respect of the suit schedule property plot No.2373, it has to be executed in respect of the said plot only. With the above clarification, the Special Leave Petition stands disposed of.”

3.From the above order of the Hon'ble Supreme Court, it is clear that the Hon'ble Supreme Court has clarified the manner in which the execution has to be made in respect of suit schedule property Cadastre No.2373 wet land. In such view of the matter, nothing survives in this review application.

4.Therefore, this Review Application is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

13.11.2025

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Note to Registry : Issue order copy today.

Internet : Yes

Index : Yes / No

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Speaking order : Yes / No
Neutral Citation : Yes / No

To

The Principal District Munsif,
Pondicherry.

N. SATHISH KUMAR, J.



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